

FORM B1 United States Bankruptcy Court WESTERN District of NEW YORK		Voluntary Petition																
Name of Debtor (if individual, enter Last, First, Middle): Fitzgerald, John J.		Name of Joint Debtor (Spouse)(Last, First, Middle): Fitzgerald, Elaine M.																
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names): NONE		All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names): NONE																
Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all) 3772		Last four digits of Soc. Sec. No./Complete EIN or other Tax I.D. No. (if more than one, state all) 9143																
Street Address of Debtor (No. & Street, City, State & Zip Code): 914 Hillside Avenue Rochester NY 14618		Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 914 Hillside Avenue Rochester NY 14618																
County of Residence or of the Principal Place of Business: Monroe		County of Residence or of the Principal Place of Business: Monroe																
Mailing Address of Debtor (if different from street address): SAME		Mailing Address of Joint Debtor (if different from street address): SAME																
Location of Principal Assets of Business Debtor (If different from street address above): NOT APPLICABLE																		
Information Regarding the Debtor (Check the Applicable Boxes)																		
Venue (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.																		
Type of Debtor (Check all boxes that apply) <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other _____ <input type="checkbox"/> Clearing Bank		Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding																
Nature of Debts (Check one box) <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business		Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.																
Chapter 11 Small Business (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)																		
Statistical/Administrative Information (Estimates only) <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY																
Estimated Number of Creditors 1-15 16-49 50-99 100-199 200-999 1000-over <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>																		
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Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

FORM B1, Page 2

**John J. Fitzgerald and
Elaine M. Fitzgerald****Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)**

Location Where Filed:

NONE

Case Number:

Date Filed:

Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)

Name of Debtor:

NONE

Case Number:

Date Filed:

District:

Relationship:

Judge:

Signatures**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ John J. Fitzgerald

Signature of Debtor

X /s/ Elaine M. Fitzgerald

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

Exhibit A

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under Chapter 11)

☐ Exhibit A is attached and made a part of this petition**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X /s/ Peter D. Grubea

Signature of Attorney for Debtor(s)

Date

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health and safety?

☐ Yes, and exhibit C is attached and made a part of this petition.
☒ No**Signature of Attorney****X /s/ Peter D. Grubea**

Signature of Attorney for Debtor(s)

Peter D. Grubea

Printed Name of Attorney for Debtor(s)

Law Office of Peter D. Grubea

Firm Name

482 Delaware Ave.

Address

Buffalo NY 14202**(716) 853-1366**

Telephone Number

Date

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

American Express
P.O. Box 360002
Ft. Lauderdale, FL 33336

Bank One
P.O. Box 94015
Palatine, IL 60094

Beneficial
525 Titus Ave.
Irondequoit Plaza Shp Cnt
Rochester, NY 14617

Bon-Ton
P.O. Box 17272
Baltimore, MD 21297

Capital One
P.O. Box 85064
Glen Allen, VA 23058

Chase Bank
P.O. Box 15583
Wilmington, DE 19886

Discover
P.O. Box 15156
Wilmington, DE 19886

ESL Federal Credit Union
100 Kings Hwy S., Suite 1200
Rochester, NY 14617

HSBC
One HSBC Center
Buffalo, NY 14203

Internal Revenue Service
111 West Huron Street
Buffalo, NY 14202

IPC
P.O. Box 23150
Rochester, NY 14692

JC Penney
P.O. Box 960001
Orlando, FL 32896

Kohl's
P.O. Box 2983
Milwaukee, WI 53201

Litton Loan Servicing
5373 West Alabama, Ste. 600
4828 Loop Central Drive
Houston, TX 77056

Lord & Taylor
P.O. Box 94873
Cleveland, OH 44101

M & T Bank
P.O. Box 767
Buffalo, NY 14240

MBNA America
P.O. Box 15287
Wilmington, DE 19886

Radio Shack
P.O. Box 9025
Des Moines, IL 50368

RMA
PO Box 105044
Atlanta, GA 30348

Sears
7920 NW 110th Street
Kansas City, MO 64153

Wegmans Federal Credit Union
823 Fairport Rd.
E. Rochester, NY 14445

WFFNB/Service Merchandise